

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**SMALL VENTURES USA, L.P.**

**Plaintiff / Counter-Defendant**

**V.**

**RIZVI TRAVERSE MANAGEMENT, LLC,  
MLRT FILM HOLDINGS, LLC, SUHAIL  
RIZVI, JOHN GIAMPETRONI, DIANE  
STIDHAM, AND DANNY MANDEL**

**Civil Action No. 4:11-CV-3072**

**Judge Ewing Werlein, Jr.**

## Defendants / Counter-Plaintiffs

**V.**

**WILLIAM O. PERKINS, III, KAYLA  
BRUZZESE, AND OMAR HANEEF**

## Counter-Defendants

**[PROPOSED] THIRD AMENDED DOCKET CONTROL ORDER**

WHEREAS this Court granted Plaintiff/Counter-Defendant Small Ventures USA, L.P.'s ("SMV") Motion for Leave to Amend and File Second Amended Complaint and ordered the parties to submit an agreed proposed amended docket control order [Doc. #93]; and

WHEREAS discovery on SMV's new claims under Section 10(b) of the Securities Exchange Act of 1934 is stayed by statute until after this Court rules on Defendants' motion to dismiss.

NOW THEREFORE, the following schedule and deadlines will control the disposition of this case:

1. Defendants shall file their motion to dismiss by: October 22, 2013.
2. SMV shall file its response to the motion to dismiss by: November 11, 2013.
3. Defendants may file a reply in support of their motion to dismiss by: December 2, 2013.
4. SMV may name expert witness(es) for its 10(b) claims only by: April 16, 2014
5. Defendants may name expert witness(es) for SMV's 10(b) claims only by: May 16, 2014.
6. Discovery on Defendants' counterclaims, and the limited discovery on Plaintiffs' original claims previously agreed to by the Parties, may proceed during the pendency of the motion to dismiss. Discovery on SMV's 10(b) claims is stayed until and unless the motion to dismiss is denied. No other discovery is permitted. All fact discovery shall be completed by: April 16, 2014.
7. Dispositive and non-dispositive motions (excluding motions in limine) shall be filed by: June 16, 2014.
8. Joint pretrial order is due: September 16, 2014.
9. Docket call is reset for: October 10, 2014 at 4:00 p.m.
10. If the motion to dismiss is granted, the parties shall, within 14 days of the date of the order granting dismissal, confer and, if practicable, submit a new proposed amended docket control order accelerating the deadlines for dispositive and non-dispositive motions, the joint pretrial order, and docket call.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
**Ewing Werlein, Jr.**  
**United States District Judge**

The parties have conferred and agree to the text of the forgoing proposed agreed order.

Dated: September 18, 2013

Respectfully submitted,

**HONIGMAN MILLER SCHWARTZ &  
COHN LLP**

By: /s/Roger P. Meyers  
Roger P. Meyers  
(admitted *pro hac vice*)

Nicholas B. Gorga (admitted *pro hac vice*)  
Jeffrey K. Lamb (admitted *pro hac vice*)  
Roger P. Meyers (admitted *pro hac vice*)  
660 Woodward Avenue, Suite 220  
Detroit, Michigan 48226-3506  
Telephone: (313) 465-7640  
Telecopier: (313) 465-7641

**BECK, REDDEN & SECREST**  
A Registered Limited Liability Partnership  
Jeff M. Golub, State Bar No. 00793823  
1221 McKinney Street, Suite 4500  
Houston, Texas 77010-2010  
Telephone: (713) 951-3700  
Telecopier: (713) 951-3720

ATTORNEYS FOR DEFENDANTS  
RIZVI TRAVERSE MANAGEMENT, LLC,  
MLRT FILM HOLDINGS, LLC,  
SUHAIL RIZVI, JOHN GIAMPETRONI,  
DIANE STIDHAM, and DANNY MANDEL

**GREENBERG TRAURIG LLP**

By: /s/ Gregory J. Casas  
Gregory J. Casas

Texas Bar No. 00787213  
Federal Bar No. 16836  
300 West 6th Street, Suite 2050  
Austin, Texas 78701  
Tel: 512.320.7200  
Fax: 512.320.7210

ATTORNEY-IN-CHARGE FOR  
PLAINTIFF, SMALL VENTURES USA,  
L.P.

**OF COUNSEL:**

**GREENBERG TRAURIG LLP**

Paul J. Brown  
Texas Bar No. 24006913  
S.D. Admission NO. 26366  
Greenberg Traurig, LLP  
1000 Louisiana Street, Suite 1800  
Houston, Texas 77002  
E-mail brownpa@gtlaw.com  
Tel: 713.374.3500  
Fax: 713.374.3505

Elizabeth R. Hadley  
Texas Bar No. 24063085  
Federal Bar No. 2023899  
300 West 6th Street, Suite 2050  
Austin, Texas 78701  
E-mail hadleye@gtlaw.com

Tel: 512.320.7200  
Fax: 512.320.7210

**CERTIFICATE OF SERVICE**

I hereby certify that counsel of record, who are deemed to have consented to electronic service in the above-referenced case, are being served this 18th day of September, 2013 with a copy of the above-document via the court's CM/ECF System per Local Rule CV-5(a)(3).

/s/ Roger P. Meyers

Roger P. Meyers